

United States District Court
for the
Eastern District of Washington

FILED IN THE
 U. S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

Jun 24, 2022

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Margarita Torres Flores

Case Number: 0980 4:17CR06015-EFS-2

Address of Offender: [REDACTED] Burbank, Washington 99323

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: December 5, 2017

Original Offense: Distribution of 5 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii)

Original Sentence: Prison - 3 days; TSR - 48 months Type of Supervision: Supervised Release

Revocation Sentence (February 14, 2018) Prison- 4 months; TSR- 44 months

Revocation Sentence (May 28, 2019) Prison-3 months; TSR-41 months

Revocation Sentence (April 20, 2020) Prison- 10 months; TSR- 24 months

Asst. U.S. Attorney: Frances E. Walker Date Supervision Commenced: January 8, 2021

Defense Attorney: Paul Shelton Date Supervision Expires: January 7, 2023

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 6/6/2022.

On January 8, 2021, a United States Probation Officer reviewed with Ms. Flores all of her conditions and requirements of supervision. Ms. Flores signed a copy of her conditions of supervision, in which she acknowledged a full understanding. Ms. Flores was referred to Merit Resource Services (Merit) to participate in the color line program for random drug testing and for substance abuse treatment.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

6

Special Condition # 4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Prob12C

Re: Flores, Margarita Torres

June 23, 2022

Page 2

Supporting Evidence: Ms. Flores is considered to be in violation of her conditions of supervised release by using a controlled substance, methamphetamine, on or about June 3, 2022.

On June 3, 2022, Ms. Flores reported to the probation office for drug testing. Ms. Flores attempted to provide a sample for drug testing on several occasions. Ms. Flores at first claimed it was the undersigned officer that was making her nervous and this was the reason she could not provide a sample. Therefore, Supervisory United States Probation Officer Janie Coronado then observed the drug test and Ms. Flores was still not able to provide a sample for drug testing.

Ms. Flores finally completed the drug test after being at the probation office for over 2 hours. This drug test was presumptive positive for amphetamine and methamphetamine and was sent to Abbott Laboratory for confirmation. Ms. Flores denied any drug use when questioned. The probation office later received the drug test report on June 18, 2022, confirming a positive result for amphetamine and methamphetamine.

7

Standard Condition #4: You must be truthful when responding to the questions asked by your probation officer.

Supporting Evidence: Ms. Flores is considered to be in violation of her conditions of supervised release by not being truthful when asked about use of methamphetamine on June 3, 2022.

Ms. Flores reported to the probation office on June 3, 2022, for drug testing. This drug test was presumptive positive for methamphetamine, as noted in the above alleged violation. Ms. Flores denied any drug use when asked. The drug report from Abbott Laboratory was later received on June 18, 2022, confirming a positive result for amphetamine and methamphetamine, which indicates Ms. Flores was not being truthful.

8

Special Condition # 4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Flores is considered to be in violation of her conditions of supervised release by failing to report for drug testing as required on June 16, 2022.

Merit reported Ms. Flores failed to report for drug testing when her assigned color, brown, was called on June 16, 2022. On June 22, 2022, the undersigned officer made telephonic contact with Ms. Flores. During this phone contact, Ms. Flores admitted she did not report to Merit on June 16, 2022, for drug testing as she did not hear her assigned color called.

9

Special Condition #3: You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the Court. You must contribute to the cost of the treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Prob12C

Re: Flores, Margarita Torres

June 23, 2022

Page 3

Supporting Evidence: Ms. Flores is considered to be in violation of her conditions of supervised release by failing to comply with substance abuse treatment as required on or about June 21, 2022.

Merit reported Ms. Flores did not attend a scheduled treatment session on June 21, 2022. Ms. Flores did not call Merit in advance and to date, has not made contact with Merit to re-engage in treatment services.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 23, 2022

s/Elizabeth Lee

Elizabeth Lee
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

6/24/2022

Date